



2015

Annual Report

of the

State Drug Treatment Court

Advisory Committee

Submitted to the

Michigan Legislature and the Michigan Supreme Court

Pursuant to MCL 600.1082, Public Act 224 of 2004.

For the period

January 1, 2015 through December 31, 2015

State of Michigan

The Honorable Amy Ronayne Krause, Chair

Table of Contents

Introduction.....	2
Overview.....	2
Mission.....	2
Origin and Scope.....	2
2015 State Drug Treatment Court Advisory Committee Members.....	3
2015 State Drug Treatment Court Advisory Committee Meetings.....	5
2015 State Drug Treatment Court Advisory Study Subcommittees.....	5
Michigan Drug Courts Sources and Levels of Current and Potential Funding.....	7
Summary.....	9



INTRODUCTION

This report of the State Drug Treatment Court Advisory Committee (SDTCAC) activities during the period of January 1, 2015 to December 31, 2015 is submitted in compliance with MCL 600.1082 (Public Act 224 of 2004).

OVERVIEW

MISSION STATEMENT

The mission of the State Drug Treatment Court Advisory Committee is to monitor and advocate for the effectiveness of drug treatment courts in Michigan.

ORIGIN AND SCOPE

Public Act 224 of 2004 created the State Drug Treatment Court Advisory Committee within the Legislative Council. In October 2012, the legislature enacted Public Act 334 of 2012 which added a veterans' treatment court representative. The advisory committee consists of the State Court Administrator, or his or her designee, plus 17 members appointed jointly by the Senate Majority Leader and the Speaker of the House, as follows:

- A circuit court judge who has presided for at least 2 years over a drug treatment court.
- A district court judge who has presided for at least 2 years over a drug treatment court.
- A judge of the family division of circuit court who has presided for at least 2 years over a juvenile drug treatment court program.
- A circuit or district court judge who has presided for at least 2 years over an alcohol treatment court.
- A circuit or district court judge who has presided over a veterans' treatment court.
- A court administrator who has worked for at least 2 years with a drug or alcohol treatment court.
- A prosecuting attorney who has worked for at least 2 years with a drug or alcohol treatment court.
- An individual representing law enforcement in a jurisdiction that has had a drug or alcohol treatment court for at least 2 years.
- An individual representing drug treatment providers who has worked at least 2 years with a drug or alcohol treatment court.
- An individual representing defense attorneys who has worked for at least 2 years with drug or alcohol treatment courts.
- An individual who has successfully completed a drug treatment court program.
- An individual who has successfully completed a juvenile drug treatment court program.
- An individual who is an advocate for the rights of crime victims.
- An individual representing the Michigan Association of Drug Court Professionals.
- An individual who is a probation officer and has worked for at least 2 years for a drug or alcohol treatment court.



- An individual representing a substance abuse coordinating agency.
- An individual representing domestic violence service provider programs that receive funding from the state domestic violence prevention and treatment board.

The SDTCAC members serve without compensation, but may be reimbursed for their actual and necessary expenses incurred in the performance of their duties. Members of the advisory committee serve for terms of 4 years each.

The SDTCAC is charged with the responsibility of monitoring the effectiveness of drug treatment courts and veterans' treatment courts and the availability of funding for them. The Committee is required to present to the Michigan Legislature and the Michigan Supreme Court annual recommendations of proposed statutory changes regarding drug treatment courts and veterans' treatment courts. In addition, statute requires that the Committee meet at least quarterly, or more frequently at the call of the chairperson or if requested by 9 or more members. The business that the advisory committee performs is conducted at a public meeting held in compliance with the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275, and any writing prepared, owned, used, in the possession of, or retained by the advisory committee in the performance of an official function is subject to the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246.

2015 COMMITTEE MEMBERS

The SDTCAC experienced some significant changes in its membership in 2015. Having served since 2011, Ms. Stephanie Drury resigned from the Committee in September of 2015. As the probation officer representative, her contributions to the Committee have been invaluable and the SDTCAC is truly grateful for her service. The Committee also welcomed the addition of five new members in 2015—Jesse Billings, Honorable Susan Dobrich, Sheriff Thomas Reich, Gary Secor, and Honorable Jodi Debbrecht Switalski.

SDTCAC Members Serving in 2015

Dr. Jessica Parks - The state court administrator, or his or her designee. Dr. Jessica Parks, Deputy Director of Trial Court Services, was designated as the State Court Administrative Office designee.

Members appointed jointly by the Speaker and the Senate Majority Leader:

Judge Amy Ronayne Krause (Chair) – An individual representing domestic violence service provider programs that receive funding from the State Domestic Violence Prevention and Treatment Board. Judge Ronayne Krause of the 4th District Court of Appeals is currently serving her third term that expires on June 13, 2019. Judge Ronayne Krause has served as Chair since May 28, 2013.

Judge William T. Ervin (Vice Chair) – A judge of the family division of circuit court who has presided for at least 2 years over a juvenile drug treatment court program. Judge Ervin of the Isabella County Probate Court was reappointed to a third term that expires on June 13, 2017. Judge Ervin has served as Vice Chair of the Committee since May 28, 2013.

Mr. Jesse Billings – An individual who has successfully completed a juvenile drug treatment court program. Mr. Billings of Troy was appointed on February 18, 2015 to fill the remainder of a term and to a full 4-year term that expires on June 13, 2019.

Judge Susan L. Dobrich – An individual representing the Michigan Association of Drug Court Professionals. Judge Dobrich was appointed to a fill vacancy created by the retirement of Judge Michael Haley in November 2014. Judge Dobrich was appointed on February 18, 2015 to fill the remainder of his term and to a full 4-year term that expires on June 13, 2019.



Ms. Stephanie Drury - An individual who is a probation officer and has worked for at least 2 years for a drug or alcohol treatment court. Ms. Drury of the 6th Circuit Court was serving her second term that expired on August 4, 2015. Ms. Drury resigned from the Committee in September 2015. The position is currently vacant.

Judge Harvey Hoffman – A district court judge who has presided for at least 2 years over a drug treatment court. Judge Hoffman of the 56-A District Court was appointed to fill this position on September 28, 2013. His 4-year term expires on September 18, 2017.

Ms. Janette Kolodge – An individual who is an advocate for the rights of crime victims. Ms. Kolodge of Lake Angelus was appointed in March of 2011 to fill the remainder of a 4-year term and is currently serving her second term that expired on June 13, 2015. Her reappointment is pending.

Mr. Andrew Konwiak – An individual representing drug treatment providers who has worked at least 2 years with a drug or alcohol treatment court. Mr. Konwiak is with the Sacred Heart Rehabilitation Center and is currently serving his third term that expires on July 18, 2016.

Mr. Douglas R. Lloyd – A prosecuting attorney who has worked for at least 2 years with a drug or alcohol treatment court. Prosecutor Lloyd of Eaton County was appointed on September 19, 2013 to fill the remainder of a vacant position. His term expires on September 18, 2016.

Judge Frederick R. Mulhauser – A circuit court judge who has presided for at least 2 years over a drug treatment court. Judge Mulhauser of the 7th Probate District was appointed to fill this position on November 7, 2013. His 4-year term expires on November 6, 2017.

Sheriff Thomas Reich – An individual representing law enforcement in a jurisdiction that has had a drug or alcohol treatment court for at least 2 years. Sheriff Thomas Reich of Eaton County was appointed on February 18, 2015 to fill the remainder of a term that expires on July 18, 2016.

Mr. Mark Risk – An individual representing defense attorneys who has worked for at least 2 years with drug or alcohol treatment courts. Mr. Risk of Traverse City is currently serving his first term that expires on September 3, 2016.

Ms. Stacy Salon – An individual who has successfully completed an adult drug treatment court program. Ms. Salon of Traverse City is currently serving her first term that expires on September 3, 2016.

Mr. Gary P. Secor – A court administrator who has worked for at least 2 years with a drug or alcohol treatment court. Mr. Secor is the Court Administrator of the 61st District Court and was appointed to the Committee on February 18, 2015. He is serving the remainder of a term that expires on September 3, 2016.

Judge Jodi Debbrecht Switalski – A circuit or district court judge who has presided for at least 2 years over an alcohol treatment court. On February 18, 2015, Judge Jodi Debbrecht Switalski of the 51st District Court was appointed to fill a vacancy created by the retirement of Judge Brian McKenzie for a term that expires June 6, 2017. Judge Switalski resigned from the Committee in December 2015 due to her resignation from the bench. The position is currently vacant.

Judge Raymond P. Voet – A circuit or district court judge who has presided over a veterans' treatment court. This position was added in October 2012 when the legislature enacted Public Act 334 of 2012. Judge Raymond P. Voet of the Ionia County 64-A District Court was appointed to this position on September 19, 2013. His 4-year term expires on September 18, 2017.

Mr. Mark A. Witte – An individual representing a substance abuse coordinating agency. Mr. Witte is the Director of Substance Abuse Services with Lakeshore Regional Entity and is currently serving his third term that expires on June 13, 2019.



2015 COMMITTEE MEETINGS

The State Drug Treatment Court Advisory Committee held four (4) full committee meetings in 2014:

January 20, 2015
April 21, 2015

August 11, 2015
October 20, 2015

2015 STUDY SUBCOMMITTEES

In 2015, nine (9) subcommittees examined various subjects under review by the State Drug Treatment Court Advisory Committee. At the October 20, 2015 SDTCAC meeting, the Family Dependency Court Subcommittee was created with Judge Dobrich designated as Chair.

Affordable Health Care Act Impact Subcommittee

Members: Mark Witte (Co-Chair), Honorable Harvey Hoffman (Co-Chair), Andrew Konwiak, Dr. Jessica Parks, Mark Risk

This subcommittee was initiated in November 2012 to monitor the impact of the Affordable Care Act and its specific application to treatment court participants who now may have increased access to other public funding for their care. The Affordable Care Act has reached a new level of implementation in Michigan with an increasing number of citizens obtaining health care coverage in the commercial market (due to an individual mandate to have such coverage).

In addition to the 1.6 million enrollees in its traditional Medicaid program, Michigan has added 600,000 enrollees under its Healthy Michigan expansion program under the Affordable Care Act. The benefit array for Healthy Michigan is significantly larger than that of traditional Medicaid, but that is good news for the many persons with substance use disorders who were previously ineligible for Medicaid are now eligible to enroll in Healthy Michigan.

The committee is working to assist its members to leverage the treatment funding available by coordination with community-based treatment providers funded by Medicaid and Healthy Michigan so that limited court funds can be preserved for purposes that health care funds cannot cover.

Defense Attorney Participation Subcommittee

Members: Mark Risk (Chair)

This subcommittee was created at the January 23, 2007 meeting to examine the defense attorney's role in the drug court process and funding for defense counsel involvement.

Funding for defense attorneys serving drug treatment courts continues to be a problem. The cost savings of drug treatment courts is well documented. In addition, there is a direct correlation between greater success of programs and having a defense attorney on the team. However, no specific dollar amount has been determined.

As a result of budget cutbacks, existing funding for defense attorney positions has been eliminated. Grand Traverse County's 86th District Court is one example. Fortunately, there are defense attorneys who believe strongly enough in drug treatment courts that at least one attorney is serving without compensation. It is hoped action can be taken to find funding for the defense attorney position.

Family Dependency Court Subcommittee

Members: Honorable Susan Dobrich (Chair), Honorable William Ervin, Mark Risk

This committee was created in October of 2015. The subcommittee is charged with looking at recruiting family dependency court membership, and developing objectives, including examination of current legislation and funding. The subcommittee will be identifying specific areas of improvement to encourage additional family dependency court.



Funding Alternatives Subcommittee

Members: Honorable Harvey Hoffman (Chair), Dawn Monk

Created in 2007, this subcommittee continued to review funding alternatives for drug treatment courts in Michigan. The impact of the Affordable Care Act as a possible funding source for indigent treatment through the expansion of Medicaid continued to be studied in 2015. The subcommittee did not identify any specific areas that require change or improvement at this time.

Juvenile Issues Subcommittee

Members: Honorable Frederick Mulhauser (Chair), Honorable William Ervin, Jodi Latuszek, Dr. Jessica Parks, Mark Risk

Created at the September 26, 2006 meeting, this subcommittee is charged with reviewing the differences inherent to juvenile drug court and family court. The objectives of the subcommittee include examination of the current drug court legislation and how the legislation differs from juvenile court procedures and promotion of juvenile drug courts as unique, adolescent-specific therapeutic jurisprudence interventions.

During 2014 and 2015 the Michigan Juvenile Drug Courts in Charlevoix and Emmet Counties participated in the National Center for Juvenile and Family Court Judges' project to develop best practices for juvenile drug courts. The final report of the National Centers effort is not yet final but will be studied by this committee when available for the purpose of considering potential changes to juvenile drug court protocol and whether legislative changes should be recommended.

Legislative Subcommittee

Members: Honorable Harvey Hoffman (Chair), Honorable Amy Ronayne Krause, Honorable Raymond Voet

This subcommittee was created at the July 23, 2010 Strategic Planning Session to monitor legislative activities. In 2015, the subcommittee continued to monitor legislation that impacted drug or veterans' treatment courts. Legislation to regulate the installation of ignition interlock devices and provide oversight of the operations of the ignition interlock companies under the Michigan DWI/Sobriety Court Ignition Interlock Program was re-introduced in 2015, cleared the Senate, and was reported out of the House Committee, but ended the year on the House floor under second reading.

Marijuana Subcommittee

Members: Honorable Raymond Voet (Chair), Mark Risk, Honorable Jodi Debbrecht Switalski, Mark Witte

This subcommittee was created at the May 24, 2011 meeting to review issues pertaining to drug court participants and the enactment of the Michigan Medical Marijuana Act. The subcommittee's mission and scope were extensively reviewed in 2014 and, in July 2014, the subcommittee's charge was broadened to include all marijuana regulatory issues including legalization. The name of the subcommittee was changed to the Marijuana Subcommittee. The subcommittee continued to follow legislative efforts surrounding marijuana issues, but did not identify any specific areas that require change or improvement at this time. The committee is currently monitoring closely the effort by several groups to place legalization of marijuana on the ballot in the 2016 general election.

Veterans' Treatment Court Subcommittee

Members: Honorable Raymond Voet (Chair), Honorable Harvey Hoffman, Dr. Jessica Parks, Mark Risk, Honorable Jodi Debbrecht Switalski

Created at the May 24, 2011 meeting, this ad hoc committee was instrumental in the enactment of two pieces of legislation in 2012. The Veterans' Treatment Court Ad Hoc Committee was changed to subcommittee status by action taken at the April 22, 2014 SDTCAC meeting. Public Act 335 of 2012 authorized the establishment of veterans' treatment courts and provided direction for the development of treatment programs for veterans who are substance abusers or mentally ill. Public Act 334 of 2012



added a veterans' treatment court judicial representative to the State Drug Treatment Court Advisory Committee and included veterans' treatment courts under the types of court the SDTCAC is to monitor. Both public acts went into effect on October 16, 2012. The ad hoc committee continued to provide input and closely monitor veterans' treatment court issues in 2015, but did not identify any specific areas that require change or improvement at this time.

Vision Subcommittee

Members: Honorable Harvey Hoffman (Chair), Honorable Patrick Bowler, Douglas Lloyd, Dr. Jessica Parks

Created at the January 22, 2008 meeting, this subcommittee continues to monitor the long range goals of drug treatment courts. The subcommittee did not identify any specific areas that require change or improvement at this time.

CURRENT AND POTENTIAL SOURCES AND LEVELS OF FUNDING

The Committee is charged with the responsibility of monitoring the effectiveness of drug treatment courts and the availability of funding for them. According to the State Court Administrative Office (SCAO), there were 107 operational drug courts in the State of Michigan in 2015. The amount of state and federal funds available to those courts was discussed and current funding sources were identified.

Current and potential sources of funding for Drug Treatment Courts were identified as follows:
(Information provided by the State Court Administrative Office)

STATE ADMINISTERED FUNDING PROGRAMS

State Court Administrative Office

Michigan Drug Court Grant Program (MDCGP)

<http://courts.mi.gov/administration/admin/op/problem-solving-courts/drug/pages>

The State Court Administrative Office administers a program that provides funding assistance for drug courts through its Michigan Drug Court Grant Program. Funding must be reappropriated annually by the Legislature. Amount awarded in FY 2015 was \$4,110,000.

The Michigan Drug Court Grant Program is modeled after the federal Drug Court Grant Program and requires compliance with the **10 Key Components of Drug Courts** as outlined in the federal guidelines. Adult Drug Court Programs, Juvenile Drug Court Programs, Family Dependency Drug Court Programs and DWI Court Programs (focused on drunk driving cases) are eligible to receive funding from the Michigan Drug Court Grant Program. Expedited docket programs are not eligible for funding through this grant. Information on the availability of grant funding and the grant deadlines are announced in the spring of each year.

State Court Administrative Office

Urban Drug Court Initiative (UDCI)

<http://courts.mi.gov/administration/admin/op/problem-solving-courts/drug/pages>

The State Court Administrative Office administers a program that provides funding assistance for urban areas; Detroit, Pontiac, Oakland, and Saginaw. UDCI programs follow the **10 Key Components of Drug Courts** and focus on offenders who commit offenses within the identified city limits. Funding is reappropriated annually by the Legislature. Amount awarded in FY 2015 was \$1,039,000.

State Court Administrative Office

Regional Driving While Intoxicate Grant Program (RDWI)

<http://courts.mi.gov/Administration/admin/op/problem-solving-courts/Drug/Pages/DWI-Court.aspx>

The State Court Administrative Office administers a program that provides funding assistance for regional DWI court programs. Example regional programs consist of two or more circuit court, two or more district court from differing counties, or one or more district court and one or more circuit court



from differing counties. Regional DWI programs follow the Guiding Principles of DWI Courts. Amount awarded in FY 2015 was \$710,000.

**Michigan State Police Department, Grants and Community Service Division
Edward Byrne Memorial Justice Assistance Grant Program**

http://www.michigan.gov/msp/0,4643,7-123-1593_34040_34043_54578-224991--,00.html

The Michigan State Police Department, Grants and Community Services Division is the State Administering Agency for the federal Edward Byrne Memorial Justice Assistance Grant Program funds received from the Bureau of Justice Assistance. MSP provides funding to eligible state and local units of government through a competitive grant process where applications are accepted online through the Michigan Automated Grant Information Connection (MAGIC+). Information on the availability of grant funding such as program areas, criteria, and deadlines are announced in the spring of each year. Funds from the Byrne JAG Program support projects that focus on drug-related crime, and target a priority population, consisting of prison bound offenders, non-violent felony offenders and probation violators. Amount awarded in FY 2015 was \$1,500,000.

**Michigan State Police Department, Grants and Community Services Division
Office of Highway Safety Planning**

http://www.michigan.gov/msp/0,4643,7-123-64773_5083--,00.html

The Michigan State Police Department, Grants and Community Services Division is the State Administering Agency for the federal Office of Highway Safety Planning Grant Program funds received from the National Highway Traffic Safety Administration. MSP provides funding to eligible state and local units of government through a competitive grant process where applications are accepted online through the Michigan Automated Grant Information Connection (MAGIC+). Information on the availability of grant funding such as program areas, criteria, and deadlines are announced in the spring of each year. Funds from the OHSP support projects that focus on substance use and driving related offenses. Amount received in FY 2015 was \$1,832,122.

FEDERALLY ADMINISTERED FUNDING PROGRAMS

**Bureau of Justice Assistance
Drug Court Planning Initiative**

<http://dcpi.ncjrs.org>

The Drug Court Planning Initiative (DCPI) is a training initiative that helps communities develop effective adult, juvenile, family, and tribal drug court programs. Communities interested in planning a drug court program are encouraged to register for DCPI training.

**Bureau of Justice Assistance
Drug Court Discretionary Grants
Adult Drug Court Implementation Grants
Adult Drug Court Enhancement Grants
Statewide Drug Court Enhancement Grants**

www.ojp.usdoj.gov/bja/grant/drugcourts.html

The Drug Court Discretionary Grant Program (DCDG) provides financial and technical assistance to states, state courts, local courts, units of local government and American Indian tribal governments to develop and implement treatment drug courts that effectively integrate substance abuse treatment, mandatory drug testing, sanctions and incentives, and transitional services in a judicially supervised court setting with jurisdiction over nonviolent, substance abusing offenders. Programs funded by DCDG are required by law to target nonviolent offenders and must implement a drug court based on **10 Key Components of Drug Courts**. The types of activities funded under this program have focused on adult drug court implementation, enhancement, and statewide enhancement.



**Bureau of Justice Assistance
Drug Court Discretionary Grants
Office of Juvenile Justice and Dependency Prevention (OJJDP)
Juvenile Drug Court Implementation Program**
www.ojp.usdoj.gov/bja/grant/drugcourts.html

The Juvenile and Family Drug Court Discretionary Grant Program is designed to assist states, state courts, local courts, units of local government, and Indian tribal governments in developing and establishing drug courts for substance-abusing juvenile offenders. Drug court programs funded by the Juvenile and Family Drug Court Discretionary Grant Program are required by law to target nonviolent offenders. The program supports the following activities: juvenile drug court implementation, family drug court implementation, single jurisdiction drug court enhancement, and statewide drug court enhancement and planning efforts.

OTHER POTENTIAL SOURCES OF FUNDING FOR DRUG TREATMENT COURTS

National Association of Drug Court Professionals
www.nadcp.org

The association provides training and technical assistance for drug courts and is a resource for training and funding opportunities.

FOUNDATION FUNDING

Kellogg Foundation
<http://www.wkkf.org>

Skillman Foundation
<http://www.skillman.org/>

Local Charities and Foundations

SUMMARY

Throughout 2015, the members of the State Drug Treatment Court Advisory Committee monitored and actively participated in a number of drug treatment court issues. From participation on a project to develop best practices for juvenile drug courts to providing guidance from a drug court perspective on a variety of legislative issues, we hope our activities over this past year show our continued dedication and enthusiasm for the drug court movement. We will remain vigilant in our efforts to champion the effectiveness and long-term future of drugs courts here in Michigan and look forward to continuing our service to the Michigan Legislature in the coming year.

